

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TROY DEMOND KING,

Plaintiff,

v.

FIDELITY INVESTMENTS,

Defendant.

Case No. [24-cv-02148-SI](#)

**ORDER RE: PENDING MOTION TO  
DISMISS AND DECLARE PLAINTIFF  
A VEXATIOUS LITIGANT AND  
RESOURCES FOR UNREPRESENTED  
LITIGANTS**

Re: Dkt. No. 14

Plaintiff King, who is representing himself, filed a complaint against defendant Fidelity Investments on April 10, 2024. Defendant has filed a motion to dismiss this action for failure to state a claim and lack of capacity to be sued and to declare plaintiff a vexatious litigant. Dkt. No. 14.<sup>1</sup> Plaintiff must respond to defendant's motion in writing explaining why his case should not be dismissed and why he should not be declared a vexatious litigant in federal court. If plaintiff fails to do so, this action may be dismissed for failure to prosecute and the Court will still determine whether plaintiff should be declared a vexatious litigant. Plaintiff's opposition brief is due **June 28, 2024**. Defendant may file a reply by **July 12, 2024**. The Court will notify the parties if oral argument is required upon completion of the briefing. The hearing currently scheduled for July 12, 2024 is VACATED (cancelled).

In addition, the Court advises plaintiff of the free legal resources available to him as an unrepresented litigant. Plaintiff is referred to the Court's website which includes information about how to represent himself and a link to a copy of the district court's handbook Representing Yourself

<sup>1</sup> Plaintiff was declared a vexatious litigant in state court on January 5, 2023. See Dkt. No. 14, Exs. 3-5.

1 in Federal Court, which provides instructions on how to proceed at every stage of his case, including  
2 discovery, motions, and trial. See <https://cand.uscourts.gov/pro-se-litigants/>.

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4 **IT IS SO ORDERED.**

5 Dated: June 7, 2024

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7 SUSAN ILLSTON

8 United States District Judge  
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